

**FILED**

November 30, 2009

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
Frank Butera, D.O.	:	ORDER GRANTING
License No. 25MB06735200	:	UNRESTRICTED LICENSE
	:	
TO PRACTICE MEDICINE AND SURGERY	:	
IN THE STATE OF NEW JERSEY	:	

This matter was first opened to the State Board of Medical Examiners upon receipt of information that Frank Butera, D.O. had applied for an unrestricted medical license following a Consent Order filed September 19, 2005 which imposed a three year period of probation to run concurrent with his probationary period in New York. Dr. Butera's New York license was initially placed on probation following allegations that he failed to provide

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appropriate care and treatment to a single patient who had a necrotizing fascitis of the lower extremity.

On September 2, 2009, Dr. Butera appeared before the Preliminary Evaluation Committee of the Board in support of his petition for unrestricted licensure. Dr. Butera testified, and the New York Office of Professional Medical Conduct (OPMC) confirmed in writing, that he completed one year of his three year probationary term in New York. During his probation in New York Respondent was monitored by a licensed physician, was required to meet periodically with a representative of the OPMC and submitted to period review of his professional practice by the OPMC. In January 2006, Dr. Butera relocated to Iowa where he was granted a license to practice medicine subject to probationary terms identical to those in the State of New York. Dr. Butera testified, and the State of Iowa confirmed in writing, that he successfully completed approximately one and a half years of probation in Iowa during which his practice was monitored and during which he appeared before the Iowa Board on a periodic basis to discuss his professional practice. After consistently positive reports from Dr. Butera's monitor, the Iowa Board issued Dr. Butera an unrestricted license in June 2007.

The Board notes that Dr. Butera has completed two and a half years of probation during which he was closely monitored by

another physician and during which he met periodically with the Iowa and New York Boards of Medicine. The Board further notes that Dr. Butera practiced medicine in Iowa from the date he was granted an unrestricted license in June 2007 until the present without discipline or censure of any kind.

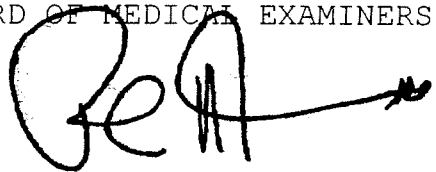
The Board having determined that the within Order is adequately protective of the public health, safety, and welfare,

IT IS ON THIS 30th DAY OF Nov, 2009

ORDERED:

1. Frank Butera, D.O. is hereby granted an unrestricted license to practice medicine and surgery in the State of New Jersey.

STATE BOARD OF MEDICAL EXAMINERS

A handwritten signature in black ink, appearing to read 'Paul Mendelowitz', is written over a horizontal line. The signature is stylized with a large 'P' and 'M'.

By: \_\_\_\_\_

Paul Mendelowitz, M.D.  
Board President

**NOTICE OF REPORTING PRACTICES OF BOARD  
REGARDING DISCIPLINARY ACTIONS**

Pursuant to N.J.S.A. 52:14B-3(3), all orders of the New Jersey State Board of Medical Examiners are available for public inspection. Should any inquiry be made concerning the status of a licensee, the inquirer will be informed of the existence of the order and a copy will be provided if requested. All evidentiary hearings, proceedings on motions or other applications which are conducted as public hearings and the record, including the transcript and documents marked in evidence, are available for public inspection, upon request.

Pursuant to 45 CFR Subtitle A 60.8, the Board is obligated to report to the National Practitioners Data Bank any action relating to a physician which is based on reasons relating to professional competence or professional conduct:

- (1) Which revokes or suspends (or otherwise restricts) a license,
- (2) Which censures, reprimands or places on probation,
- (3) Under which a license is surrendered.

Pursuant to 45 CFR Section 61.7, the Board is obligated to report to the Healthcare Integrity and Protection (HIP) Data Bank, any formal or official actions, such as revocation or suspension of a license (and the length of any such suspension), reprimand, censure or probation or any other loss of license or the right to apply for, or renew, a license of the provider, supplier, or practitioner, whether by operation of law, voluntary surrender, non-renewability, or otherwise, or any other negative action or finding by such Federal or State agency that is publicly available information.

Pursuant to N.J.S.A. 45:9-19.13, if the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, it is obligated to notify each licensed health care facility and health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders are provided to that organization on a monthly basis.

Within the month following entry of an order, a summary of the order will appear on the public agenda for the next monthly Board meeting and is forwarded to those members of the public requesting a copy. In addition, the same summary will appear in the minutes of that Board meeting, which are also made available to those requesting a copy.

Within the month following entry of an order, a summary of the order will appear in a Monthly Disciplinary Action Listing which is made available to those members of the public requesting a copy.

On a periodic basis the Board disseminates to its licensees a newsletter which includes a brief description of all of the orders entered by the Board.

From time to time, the Press Office of the Division of Consumer Affairs may issue releases including the summaries of the content of public orders.

Nothing herein is intended in any way to limit the Board, the Division or the Attorney General from disclosing any public document.